



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709-1657



In Reply Refer To:
7250 (933b)
Application Permit No. 51-13127

October 25, 2018

RECEIVED

OCT 29 2018

WATER RESOURCES
WESTERN REGION

Nick Miller, P.E., Regional Manager
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

RE: Withdrawal of BLM Protest:
Application for Permit No. 51-13127 f/b Ace Black Ranches, LLP

Dear Mr. Miller:

By this letter, I state that I have the authority to act on behalf of the United States Department of the Interior, Bureau of Land Management (BLM), with myself as its agent, to the matters discussed herein.

The Amended Application for Permit filed July 2, 2018, seeks to establish a use of water for irrigation use from wastewater in an unnamed ditch. The BLM protested the application because the route from the Point of Diversions (POD) to the Places of Use (POU) described as T06S, R06E, S25, NESE and SESE described Federal land (BLM). The route would have crossed several drainages and approximately 4.5 miles of BLM land. The applicant is not authorized to construct a conveyance facility across BLM land nor transport this water across Federal land.

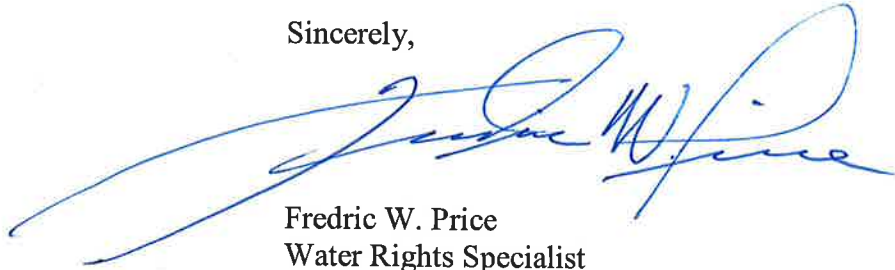
On September 10, 2018, a Second Amended Application for Permit was filed with the Idaho Department of Water Resources (IDWR) which corrected the POU's legal land descriptions by changing T06S, R06E, S25 to R05E, which places the POD, POU, and route between the two entirely on non-Federal land.

The BLM's protest has been resolved by the Second Amended Application for Permit dated September 10, 2018; therefore I hereby withdraw BLM's protest, provided that there are no subsequent amendments made without notice to the BLM, and the BLM has the opportunity to protest subsequent amendments.

The BLM's expectation in withdrawing its protest is that any Approved Permit issued by IDWR will be based upon the application existing at the time of this protest withdrawal. The BLM requests that it receive notice of any subsequent amendments by the applicant and of any Approved Permit issued by IDWR.

If there are questions regarding any statements above, please do not hesitate to contact me at (208) 373-3831, or write to the address in our letterhead.

Sincerely,



Fredric W. Price
Water Rights Specialist

cc: Terry Black, Ace Black Ranches; 28892 Hot Springs Road; Bruneau, ID 83604-5007
James Tarter, Natural Resource Specialist and Charlotte Alexander, Realty Specialist Lead
(Acting) BLM Boise District Office; 3948 South Development Way, ID 83705-5339